

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ten Thousand Four Hundred Eighty Dollars
(\$10,480.00) in U.S. Currency, more or less,
seized from Thomas Welch,

Defendant-in-rem.

Civil No. 1:06-CV-311-JM

FINAL ORDER OF FORFEITURE

On August 21, 2006, the United States filed a Verified Complaint for Forfeiture in Rem, seeking the forfeiture of the defendant *in rem* Ten Thousand Four Hundred Eighty Dollars (\$10,480.00) in U.S. Currency, more or less, seized from Thomas Welch, based upon alleged violations of 21 U.S.C. §§ 881(a)(6). This Verified Complaint, and Notice of Complaint, were served on all known potential claimants, including Thomas Welch, who was served on September 14, 2006, through his attorney Erland C.L. McLetchie, Esquire. There are no other known claimants.

The United States and claimant Thomas Welch have reached a stipulated settlement agreement which provides for the forfeiture of a portion of the defendant *in rem*, and a return of a portion of the defendant *in rem* to Thomas Welch.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

A. That all rights, title and interests to the forfeiture of 60% of the defendant *in rem* Ten Thousand Four Hundred Eighty Dollars (\$10,480.00) in U.S. Currency, more or less, seized

from Thomas Welch, or \$6,288.00 in U.S. Currency, from which amount the United States Marshals Service (USMS) shall deduct its costs related to this proceeding, are hereby condemned, forfeited and vested in the United States of America pursuant to 21 U.S.C. § 881(a)(6), free from the claims of any other party. These funds shall be disposed of by the USMS in accordance with the applicable law and regulations. These funds, less costs to the USMS associated with the defendant *in rem* shall be deposited into the Department of Justice Asset Forfeiture Fund in accordance with Title 28, United States Code, Section 524(c) and Title 21, United States Code, Section 881(e).

B. The remaining 40% of the defendant *in rem*, or \$4,192.00 in U.S. Currency, is hereby dismissed from the case.

C. That Thomas Welch shall bear his own costs of this proceeding, including attorney's fees, if any.

The Clerk is hereby directed to send two certified copies of this Order to the USMS and four certified copies to United States Attorney's Office, Attention: Assistant U.S. Attorney Robert J. Rabuck.

Dated: March 26, 2007

/s/ JAMES R. MUIRHEAD
UNITED STATES MAGISTRATE JUDGE